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21 RASIER, LLC; and RASIER-CA, LLC

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15  
16 **UNITED STATES DISTRICT COURT**  
17  
18 **NORTHERN DISTRICT OF CALIFORNIA**  
19  
20 **SAN FRANCISCO DIVISION**

21 IN RE: UBER TECHNOLOGIES, INC.,  
22 PASSENGER SEXUAL ASSAULT  
23 LITIGATION

24  
25 This Document Relates to:  
26  
27  
28

ALL ACTIONS

Case No. 3:23-md-03084-CRB

29  
30 **DECLARATION OF DANIEL  
31 CUMMINGS IN SUPPORT OF  
32 DEFENDANTS' STATEMENT IN  
33 SUPPORT OF PLAINTIFFS'  
34 ADMINISTRATIVE MOTION TO  
35 CONSIDER WHETHER ANOTHER  
36 PARTY'S MATERIALS SHOULD BE  
37 SEALED [ECF NOS. 2518, 2542]**

38  
39 Judge: Hon. Lisa J. Cisneros  
40 Courtroom: G – 15th Floor

41  
42 DECLARATION OF DANIEL CUMMINGS IN SUPPORT OF DEFENDANTS' STATEMENT IN SUPPORT OF  
43 PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIALS  
44 SHOULD BE SEALED [ECF NO. 2439]

## **DECLARATION OF DANIEL CUMMINGS**

I, Daniel Cummings, having personal knowledge of the following state:

1. I am a partner at the law firm of Shook, Hardy & Bacon LLP, attorneys of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC, (collectively, “Uber”). I am a member in good standing of the Bars of the States of Missouri, Kansas, and Nebraska. I know the following facts to be true of my own knowledge, except those matters stated to be based on information and belief, and if called to testify, I could competently do so. I respectfully submit this declaration in support of Uber’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal, ECF No. 2518 and 2542, (“Uber’s Statement”).

2. I have reviewed the unredacted version of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective Order, filed under seal and in redacted form on March 14, 2025. The redactions which Uber seeks to maintain are found on pages and lines 6:1-2, 9:21-10:5, 13:14-19, 14:3-4, 17:9-15, 17:18-18:6, 20:4-6, and 20:10-11, and on page 14, footnote 19. The redacted material consists of confidential information about financial compensation, internal performance analyses, communication strategies, confidential research and product feature proposals, and background check and independent driver deactivation policies. Uber has expended significant resources developing its internal policies, procedures, business strategies and plans, product proposals, and research. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the information and copying processes. Relatedly, the risk that communications and documents related to confidential internal business decisions and strategies will be unsealed (especially under the lower good cause standard) is likely to cause harm by chilling frank discussion and innovation if a business's legitimate interests in confidentiality are disregarded.

3. I have reviewed Exhibits 1, 20, 25, 26, 28, 30, 42, 126, 127, 128, 130, 132, 139, 141, 147, 148, 154, 163, and 166 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective Order, and all other exhibits to this declaration. These specific exhibits, and other exhibits at issue in Plaintiffs' Motion, contain non-public email

1 addresses of Uber employees and other personal identifying information of Uber employees and third  
 2 parties. Public disclosure of this information would violate the legitimate privacy interests of these  
 3 individuals. Additionally, Exhibit 166 contains a link to Uber's internal JIRA system related to the  
 4 incident discussed in that email. This link should be redacted in light of the potential cybersecurity  
 5 risk of including a link to Uber's internal systems on the public docket, and risk of disclosure of highly  
 6 sensitive information contained in the linked incident report in the event of a security breach.

7       4. I have reviewed Exhibits 3, 4, 13, 14, 15, 17, 101, 112, 113, and 136 to the Declaration  
 8 of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective  
 9 Order. These documents are confidential deposition transcripts. These deposition transcripts should  
 10 be maintained under seal for two primary reasons. First, documents should be sealed under the good  
 11 cause standard when they are already protected from disclosure in a separate court proceeding and  
 12 sealing is necessary to "avoid disparate treatment." *In re Xyrem*, 2023 WL 3874024, at \*2 (N.D. Cal.  
 13 June 6, 2023); *Netlist Inc.*, 2024 WL 2429346, at \*1. Each of the deposition transcript exhibits is from  
 14 a deposition in another litigation (including some that were cross-noticed in the JCCP and MDL). And  
 15 each is marked as confidential or highly confidential pursuant to a protective order in that other  
 16 litigation. For this reason alone, the Court should maintain these exhibits under seal, under the  
 17 applicable good cause standard, out of respect for those other courts and their the protective orders.  
 18 Second, these transcripts are independently sealable under the good cause standard. The deposition  
 19 of Troy Stevenson (Exhibit 3) is marked as highly confidential and contains testimony regarding  
 20 internal company strategy and decision making. The Roger Kaiser (Exhibit 13), Andi Pimentel  
 21 (Exhibit 14), and Jenny Luu (Exhibit 15) transcripts are marked as confidential or highly confidential  
 22 and contain discussion of internal business decisions and directives, such as internal deliberations on  
 23 topics such as dash cams. The deposition of Brad Rosenthal (Exhibit 17) is marked as highly  
 24 confidential attorneys' eyes only, and has extensive discussions of Uber's internal structures, groups,  
 25 and individual roles and responsibilities. Katy McDonald's transcript (Exhibit 101) contains  
 26 discussions of a chart of internal roles and responsibilities and non-public safety data. The deposition

1 transcript for Ryan Graves (Exhibits 112 and 113) in litigation against Uber by taxi companies is  
 2 marked as “Confidential – Attorneys’ Eyes Only.” Exhibit 113 is the *entire* deposition transcript,  
 3 containing extensive testimony on confidential information about Uber. Uber has expended  
 4 significant resources developing its business strategies, data, and plans. Uber’s non-public internal  
 5 organization, structure, and roles and responsibilities should likewise be protected from disclosure  
 6 because its internal structures are a critical business decision, created strategically to reflect and  
 7 achieve its priorities and goals. Therefore, disclosure of this information risks harm to Uber through  
 8 its competitors utilizing the information and copying processes. Likewise, internal strategy  
 9 deliberations on confidential business decisions must be protected to avoid harm by chilling open and  
 10 honest discussion and innovation.

11 5. I have reviewed Exhibits 2, 5, 6, 7, 8, 9, 10, 11, 12, 16 to the Declaration of Roopal  
 12 Luhana in Support of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order.  
 13 These exhibits relate to Uber CEO Dara Khosrowshahi. These exhibits contain discussions and notes  
 14 regarding confidential internal business strategy and decision-making processes, communications  
 15 strategy, and other types of confidential business information. For example, Exhibit 12 is an email  
 16 discussion marked confidential deliberating on a potential safety initiative. Exhibit 6 is a confidential  
 17 internal chat about strategy and considerations for an audio recording product feature. Exhibit 10 is  
 18 an email about a confidential compensation proposal for Uber’s leadership. Exhibit 2 is a chat about  
 19 communications strategy. Exhibit 5 is an email containing a detailed strategy discussion that includes  
 20 detailed internal information on safety product features. Exhibit 7 is a set of notes from a strategy  
 21 discussion with Uber’s executive leadership team, containing confidential business information.  
 22 Exhibit 9 is an email that also relates to an executive-level decision on a potential safety product  
 23 feature, and Exhibit 8 similarly is an internal chat regarding strategic direction given by Uber’s CEO  
 24 on the business’s priorities. And Exhibit 11 is a confidential email discussing Uber’s internal tracking  
 25 of safety data. Finally, Plaintiffs include as Exhibit 16 a document (apparently created by Plaintiffs)  
 26 citing to and quoting from several other confidential documents, including the confidential deposition

1 transcript of Andi Pimentel, regarding strategic business decisions. The material in these documents  
 2 consists of confidential information about financial compensation, communication strategies,  
 3 confidential research and product feature proposals, and analysis of safety policies and procedures.  
 4 Uber has expended significant resources developing its internal policies, procedures, business  
 5 strategies and plans, product proposals, and research. Therefore, disclosure of this information risks  
 6 harm to Uber through its competitors utilizing the information and copying processes. Relatedly,  
 7 internal strategy deliberations on confidential business decisions must be protected to avoid harm by  
 8 chilling open and honest discussion and innovation.

9       6. I have reviewed Exhibits 18, 19, 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 35, 36, 37,  
 10 38, 39, 129, 131, 134, 135, and 136 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief  
 11 in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber founder and  
 12 former CEO Travis Kalanick. They contain extensive information and discussion regarding internal  
 13 company plans, priorities, deliberations, strategy, product design, and more. Exhibit 18 is a  
 14 confidential email from Mr. Kalanick regarding internal Uber strategy and priorities, while Exhibit 19  
 15 is an email with notes from a meeting discussing internal strategy and business plans. Exhibit 21 is an  
 16 email regarding a confidential product feature proposal. Exhibit 22 is an email about Uber's safety  
 17 policy and data. Exhibit 23 is a chat discussing product design details. Exhibit 24 is a confidential  
 18 email discussing Uber's response to a particular safety incident, which discloses details regarding  
 19 internal company policy and strategy. Exhibits 29 and 31 are emails that dictate company strategy on  
 20 public communications on regulatory and safety issues. Exhibit 32 is a confidential internal Q&A  
 21 document with Mr. Kalanick that details company strategy and plans on a range of issues and Exhibit  
 22 33 is similarly an email from Mr. Kalanick regarding internal structure and roles and responsibilities  
 23 that reveals internal company priorities and strategy. Exhibit 34 is an extensive discussion of company  
 24 policy on independent driver eligibility. Exhibits 35, 36, and 37 are internal emails regarding strategy  
 25 for public communications and media response. Exhibit 38 is an extensive set of notes detailing and  
 26 evaluating all aspects of safety policy and structure at Uber and future strategic plans in that area.

1 Plaintiffs include as Exhibit 39 a document (apparently created by Plaintiffs) citing to and quoting  
 2 from several other confidential documents. Among these are Exhibit 129, which is a confidential  
 3 email regarding business strategy for addressing potential city regulations. Exhibit 131 is a  
 4 confidential email about strategy discussions with an executive candidate. Exhibits 134 and 135 are  
 5 confidential emails discussing safety strategy, internal roles and responsibilities, operations,  
 6 organization, and company policy. The material in these documents consists of confidential  
 7 information about confidential research and product design proposals, communication strategies, and  
 8 analysis of safety policies and procedures. Uber has expended significant resources developing its  
 9 internal policies, procedures, business strategies and plans, product proposals, and research.  
 10 Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the  
 11 information and copying processes. Relatedly, internal strategy deliberations on confidential business  
 12 decisions must be protected to avoid harm by chilling open and honest discussion and innovation.

13       7. I have reviewed Exhibits 40, 41, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 137, 138,  
 14 140, 142, 143, 145, and 146 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in  
 15 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Chief  
 16 Marketing Officer and Senior Vice President Jill Hazelbaker. They contain extensive confidential  
 17 information regarding internal company strategy on public communications, safety data, policies, and  
 18 procedures, and financial information regarding business partners. For example, Exhibits 46, 47, 49,  
 19 50, and 51 are email discussions containing detailed internal data and financial information related to  
 20 background check policies and proposals. Exhibits 40 and 53 are emails containing discussion of  
 21 internal strategy on safety issues and communication, as is Exhibit 41, which also contains data on  
 22 proprietary market research. Exhibit 43 is an email discussing a confidential product feature proposal,  
 23 while Exhibit 44 is an email discussing a safety initiative, including internal details on product features  
 24 and strategy. Exhibit 45 is another email that relates to internal company policy and strategy on  
 25 information sharing regarding independent driver deactivation. Exhibit 48 is an internal chat  
 26 discussing background check policies. Exhibit 52 discloses internal regulatory strategy and Exhibit  
 27

53 discloses strategy on communications related to safety issues. Plaintiffs include as Exhibit 54 a document (apparently created by Plaintiffs) citing to and quoting from several other confidential documents. Among these are Exhibit 137, which is a confidential chat disclosing strategy for communications on safety issues. Exhibit 138 discusses business strategy and proprietary data on various safety issues and Exhibit 140 similarly includes internal proposals related to safety-related communications. Exhibits 142, 143, and 144 include confidential strategy related to Uber's U.S. Safety Report. Exhibit 145 discusses the strategy and implementation of the Safety Report and communications about this topic. Finally, Exhibit 146 is a confidential internal document summarizing a meeting at which Uber's business strategies on policy and communication topics were discussed. The material in these documents consists of confidential information about confidential communication strategies, proprietary data, and analysis of safety policies and procedures. Uber has expended significant resources developing its internal policies, procedures, business strategies and plans, product proposals, and research. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the information and copying processes. Relatedly, internal strategy deliberations on confidential business decisions must be protected to avoid harm by chilling open and honest discussion and innovation. Importantly, while communications strategy relates to public-facing statements, internal strategies and guidance on communications are nevertheless confidential and developed at great expense—communication strategy is entitled to confidentiality just as much as business strategy.

8. I have reviewed Exhibits 55, 56, 57, 58, 59, 149, 150, 151, 152, 153, and 155 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's former Senior Vice President for Communications and Public Policy Rachel Whetstone. They contain detailed information about internal confidential safety policies and procedures and communication strategy. For example, Exhibit 55 is an email discussing company policies, strategy, organization, and communications on safety issues. Exhibit 56 is an email with discussion of similar topics for the European market. Exhibit 57 is marked as highly

1 confidential and includes internal research, company strategy, and policy discussions. Exhibit 58 is  
 2 an internal confidential document providing guidelines on safety-related messaging. Plaintiffs include  
 3 as Exhibit 59 a document (apparently created by Plaintiffs) citing to and quoting from several other  
 4 confidential documents. Among these are Exhibit 149, which is a confidential document providing a  
 5 strategic review of Uber's safety policies and communication strategy. Exhibit 150 is a document  
 6 relating to policy and government relations, which discloses Uber's strategies and priorities on these  
 7 topics, while Exhibit 155 is an email on the same topics. Exhibit 151 is an email about strategy for  
 8 communicating about safety issues. Exhibit 152 details internal company strategy on driver  
 9 community guidelines, and Exhibit 153 is a discussion of independent driver deactivation policies that  
 10 discloses internal company strategies and roles and responsibilities. The material in these documents  
 11 consists of confidential information about confidential communication strategies, policy issues, and  
 12 analysis of safety policies and procedures. Uber has expended significant resources developing its  
 13 internal policies, procedures, business strategies and plans, product proposals, and research.  
 14 Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the  
 15 information and copying processes. Relatedly, internal strategy deliberations on confidential business  
 16 decisions must be protected to avoid harm by chilling open and honest discussion and innovation.  
 17 Importantly, while communications strategy relates to public-facing statements, internal strategies and  
 18 guidance on communications are nevertheless confidential and developed at great expense—  
 19 communication strategy is entitled to confidentiality just as much as business strategy.

20       9. I have reviewed Exhibits 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75,  
 21 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 90, 91, 92, 93, 94, 95, 96, 97, 98, 156, 157, 158,  
 22 159, 160, 161, and 162 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in  
 23 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Chief Product  
 24 Officer Sachin Kansal. The information in these documents includes proprietary and confidential  
 25 information and data about product research and product proposals. For example, Exhibit 60 is a  
 26 document discussing proprietary research and proposed safety features. Exhibit 61 is an email about

1 company strategy and a pilot program for a safety feature. Exhibits 62, 64, 65, 69, 85, 86, 87, 88, 89,  
2 95, 158, and 159 are presentations (or draft presentations) that contain internal proprietary research  
3 and data and confidential information about the details of safety product features and proposals.  
4 Exhibit 63 is a document that details a meeting to discuss internal business strategy and research on  
5 safety issues and proposals. Exhibit 66 is an internal chat on business strategy, technology, and cost  
6 information. Exhibit 67 is a document that details company information on technology and product  
7 usage. Exhibit 68 is an email discussion detailing research, technology, and company policies on a  
8 safety product. Exhibit 70 is a draft document about a strategy meeting on product design, detailing  
9 plans, proposals, and processes on product design. Exhibits 71, 72, 73, 74, 75, 76, 77, and 93 are  
10 confidential emails on internal research, technology, and strategy on product feature proposals.  
11 Similarly, Exhibits 78, 79, and 80 are confidential emails on business strategy for policy and safety  
12 issues and proposals. Exhibit 82 is a draft document on safety perception and incident reduction that  
13 details plans and proposals and policies on a broad range of safety issues. Exhibits 83 and 84 are  
14 emails about strategy for communications on safety issues. Exhibit 90 is an internal document related  
15 to a meeting on data and safety initiatives. Exhibit 91 is an email that details safety categories, business  
16 priorities, research, and plans. Exhibit 92 is an email that discloses strategy considerations for a safety  
17 feature proposal. Exhibit 94 is a draft document on Uber's safety brand platform which details safety  
18 policy, strategy, and business plans from a brand perspective. Exhibit 96 is a presentation that details  
19 confidential internal processes on safety incident report management. And Exhibit 97 is a confidential  
20 email that includes detailed internal statistics and research on safety issues in various markets.  
21 Plaintiffs include as Exhibit 98 a document (apparently created by Plaintiffs) citing to and quoting  
22 from several other confidential documents. Among these are Exhibit 156, which is a transcript of an  
23 internal presentation by Mr. Kansal regarding business strategy and potential new product features.  
24 Exhibit 157 is a confidential strategy document regarding communications strategy at a campus  
25 product demonstration. Exhibit 160 is an internal email that discusses plans and internal  
26 considerations related to potential safety features. Exhibit 161 is an internal chat discussing strategy  
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1 for an upcoming meeting about proposed product safety features. Finally, Exhibit 162 is a confidential  
2 presentation entitled “Safety Product Overview” that discloses internal data on public perceptions and  
3 proposals for future safety features. Uber has expended significant resources developing its product  
4 design, business strategies, proprietary data, and other business plans. Uber’s non-public internal  
5 organization, structure, and roles and responsibilities should likewise be protected from disclosure  
6 because its internal structures are a critical business decision, created strategically to reflect and  
7 achieve its priorities and goals. Therefore, disclosure of this information risks harm to Uber through  
8 its competitors utilizing the information and copying processes. Likewise, internal strategy  
9 deliberations on confidential business decisions must be protected to avoid harm by chilling open and  
10 honest discussion and innovation. And while communications strategy relates to public-facing  
11 statements, internal strategies and guidance on communications are nevertheless confidential and  
12 developed at great expense—communication strategy is entitled to confidentiality just as much as  
13 business strategy. Finally, while many product design features are publicly disclosed and marketed,  
14 Uber is entitled to maintain the confidentiality of its internal design, execution, and strategy behinds  
15 its proprietary product design and safety features.

16 10. I have reviewed Exhibits 99, 100, and 102 to the Declaration of Roopal Luhana in  
17 Support of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order. These exhibits  
18 relate to Uber’s Vice President of Applied Science Frank Chang. The information in these documents  
19 includes confidential information about internal company policies and procedures and data on a range  
20 of safety and business issues. For example, Exhibits 99 and 102 are confidential emails that detail  
21 proprietary policies and procedures for handling JIRA incident reports. Exhibit 100 is a draft  
22 presentation designated as highly confidential regarding an internal strategy call for the Global Safety  
23 Support team, which contains information about internal confidential business strategy and priorities,  
24 including fraud detection, and internal roles and responsibilities. Uber has expended significant  
25 resources developing its internal policies and procedures, business strategies, and product features.  
26 Uber’s non-public internal organization, structure, and roles and responsibilities should likewise be  
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1 protected from disclosure because its internal structures are a critical business decision, created  
2 strategically to reflect and achieve its priorities and goals. Therefore, disclosure of this information  
3 risks harm to Uber through its competitors utilizing the information and copying processes.

4 11. I have reviewed Exhibits 103, 104, 105, 106, 107, 108, 109, 110, 164, 165, 167, 168,  
5 169, 170, 171, 172, and 173 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in  
6 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Vice President  
7 and Head of Americas Delivery for Uber Sarfraz Maredia. The information in these documents  
8 includes confidential information about internal company policies and procedures and data on a range  
9 of safety and business issues. For example, Exhibit 103 is a presentation marked highly confidential  
10 that discloses internal business structure and roles and responsibilities, and business strategies and  
11 plans. Exhibit 104 is an email related to policies for driver deactivations. Exhibit 105 is an email that  
12 discloses internal communications and press strategy. Exhibit 106 a confidential email about driver  
13 reinstatement that discloses internal processes for such determinations. Exhibit 107 is an email with  
14 comments from a confidential draft document that contains a discussion of background check and  
15 fraud prevention. Exhibits 108 and 109 are a confidential email chain about background check policies  
16 and practices. Plaintiffs include as Exhibit 110 a document (apparently created by Plaintiffs) citing to  
17 and quoting from several other confidential documents. Among these are Exhibit 164, which is a  
18 document related to a meeting discussing confidential internal data and internal goals on incident  
19 reports of safety issues. Exhibit 165 is an email about strategy on driver classification. Exhibit 167  
20 is a confidential internal JIRA incident report which contains personal identifying information and  
21 discloses details of Uber's confidential internal incident report system. Exhibit 168 is a confidential  
22 letter to a regulator providing information on Uber's internal policies, procedures, and data on safety  
23 and background check issues, as well as internal operations and divisions. Exhibit 169 is an email  
24 discussing strategy for background check operations, including proprietary cost information and  
25 business priorities. Exhibit 170 is a confidential presentation that discloses proprietary research,  
26 market perception data, and financial information. Exhibits 171 and 173 are confidential emails about  
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1 internal strategies to implement business priorities, and Exhibit 172 is similarly about business  
 2 operations for a confidential strategic initiative. Uber has expended significant resources developing  
 3 its internal policies and procedures, business strategies, proprietary data, and safety features. Uber's  
 4 non-public internal organization, structure, and roles and responsibilities should likewise be protected  
 5 from disclosure because its internal structures are a critical business decision, created strategically to  
 6 reflect and achieve its priorities and goals. Therefore, disclosure of this information risks harm to  
 7 Uber through its competitors utilizing the information and copying processes. Likewise, internal  
 8 strategy deliberations on confidential business decisions must be protected to avoid harm by chilling  
 9 open and honest discussion and innovation. And while Uber provides public information about its  
 10 background check practices on its website and Safety Reports, its internal discussions and technical  
 11 policy details are nevertheless confidential and developed at great expense and entitled to  
 12 confidentiality.

13       12. I have reviewed Exhibits 111, 114, 115, 116, 117, 118, 119, 174, 175, 176, 177, 178,  
 14 179, 180, 181, 182, 183, 184, and 185 to the Declaration of Roopal Luhana in Support of Plaintiffs'  
 15 Brief in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's first  
 16 employee, former CEO, board member, and Senior Vice President of Global Operations Ryan Graves.  
 17 The information in these documents includes confidential information about internal company policies  
 18 and procedures and business relationships. For example, Exhibit 111 is a confidential email about  
 19 safety feature proposals and strategy. Exhibits 114, 115, 116, and 117 are emails about background  
 20 check policies, procedures, proposals, and business partners. Exhibits 118 and 179 are an email with  
 21 a business investor partner. Plaintiffs include as Exhibit 119 a document (apparently created by  
 22 Plaintiffs) citing to and quoting from several other confidential documents. Among these are Exhibit  
 23 174, an email marked as highly confidential about a potential business acquisition. Exhibit 175 is a  
 24 highly confidential email regarding business terms with a foreign background check provider. Exhibit  
 25 176 is another highly confidential email which discusses business strategy regarding a competitor,  
 26 web design, and background check policies. Exhibit 177 is an email that details business strategies,  
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1 goals, progress, operations, and finances. Exhibit 178 is an email with a potential background check  
2 provider on terms and pricing. Exhibit 180 is a confidential email summarizing a meeting discussing  
3 proposals and strategy for background check policy and practices. Exhibit 181 is an email with  
4 proposals for product features and safety strategy. Exhibit 182 is a presentation detailing Uber's crisis  
5 management strategy, including processes and implementation and business proposals. Exhibit 183  
6 is an email discussing strategy for driver feedback on the app. Exhibit 184 is an email detailing  
7 communications strategy and priorities. Finally, Exhibit 185 is a confidential email detailing  
8 background check policies and business partnerships. Uber has expended significant resources  
9 developing its internal policies and procedures, business strategies, proprietary data, and safety  
10 features. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing  
11 the information and copying processes. Likewise, internal strategy deliberations on confidential  
12 business decisions must be protected to avoid harm by chilling open and honest discussion and  
13 innovation. And while Uber provides public information about its background check practices on its  
14 website and Safety Reports, its internal discussions and technical policy details are nevertheless  
15 confidential and developed at great expense and entitled to confidentiality. Similarly, while  
16 communications strategy relates to public-facing statements, internal strategies and guidance on  
17 communications are nevertheless confidential and developed at great expense—communication  
18 strategy is entitled to confidentiality just as much as business strategy.

19 13. I have reviewed Exhibits 120, 121, 122, 123, 124, 125, 186, 187, 188, 189, 190, and  
20 191 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants'  
21 Motion for Protective Order. These exhibits relate to Uber's former Chief Security Officer Joe  
22 Sullivan. The information in these documents includes confidential information about strategy,  
23 proposals, research, data, and communication on safety policy and practices. For example, Exhibit  
24 120 is a draft communication about safety issues that reveals communication strategies. Exhibit 121  
25 is another draft document about internal strategy on safety policy issues at Uber. Exhibit 122 is a  
26 confidential presentation that details Uber's strategy for business intelligence and other business  
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1 strategies. Exhibit 123 details a range of business priorities, plans, and strategies and includes  
2 proprietary data and information. Exhibit 124 is an email marked highly confidential discussing  
3 strategies on safety issues and proposals across the company. Plaintiffs include as Exhibit 125 a  
4 document (apparently created by Plaintiffs) citing to and quoting from several other confidential  
5 documents. Among these are Exhibits 186, 187, and 188, confidential emails detailing internal data  
6 collection and research requests, business strategies and proposals, and technical information. Exhibit  
7 189 is an information discussing communication strategy on safety issues and product features.  
8 Exhibit 190 is an email discussion of a safety incident and broader strategy for safety policies and  
9 procedures. Finally, Exhibit 191 is a detailed set of confidential internal notes broadly analyzing safety  
10 at Uber, including internal data, operations, policy, product features and development, and business  
11 plans and goals. Uber has expended significant resources developing its internal policies and  
12 procedures, business strategies, proprietary data, and safety features. Therefore, disclosure of this  
13 information risks harm to Uber through its competitors utilizing the information and copying  
14 processes. Likewise, internal strategy deliberations on confidential business decisions must be  
15 protected to avoid harm by chilling open and honest discussion and innovation. And while Uber  
16 provides public information about its background check practices on its website and Safety Reports,  
17 its internal discussions and technical policy details are nevertheless confidential and developed at great  
18 expense and entitled to confidentiality. Similarly, while communications strategy relates to public-  
19 facing statements, internal strategies and guidance on communications are nevertheless confidential  
20 and developed at great expense—communication strategy is entitled to confidentiality just as much as  
21 business strategy.

22 14. The disclosure of the above-described documents could harm Uber's competitive  
23 standing and the legitimate privacy interests of Uber employees and third parties. Uber has expended  
24 significant resources developing its internal policies, procedures, business strategies and plans,  
25 product proposals, and research, and disclosure of these documents risks harm to Uber through its  
26 competitors utilizing the information and copying processes, and poses other risks. No less restrictive  
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1 alternative to sealing the documents at issue is sufficient. Uber has already narrowed its request to  
2 seal from the material in Plaintiffs' Motion by narrowing redactions, requesting limited redactions in  
3 place of fully sealing documents, or not requesting to seal or redact documents where appropriate.  
4 Actions short of sealing the documents requested by Uber would not protect Uber's competitive  
5 standing and the legitimate privacy interests of Uber employees and third parties.

6

7 I declare under penalty of perjury that the foregoing is true and correct.

8

9 Executed on March 21, 2025.

By: /s/ Daniel Cummings

10 Daniel Cummings

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